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**BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON**

IN RE COMPLIANCE	)	PDC CASE NO.: 03-009
WITH RCW 42.17	)	
	)	<b>FINAL ORDER IMPOSING FINE</b>
EAST KING COUNTY LAWYERS	)	
FOR JUSTICE	)	
	)	
Respondent.	)	
_____.	)	

**INTRODUCTION**

The Washington State Public Disclosure Commission (Commission) conducted an enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on July 23, 2002, with respect to the above-encaptioned matter. The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia, Washington. The Respondent appeared at the hearing through Larry Shannon, Government Affairs Director of the Washington State Trial Lawyers Association. The Staff appeared through Susan Harris, Assistant Director. The Commission held the hearing to determine whether the Respondent violated RCW 42.17.3691 by failing to electronically file contribution and expenditure reports beginning January 1, 2002.

During the hearing, the Staff presented, for the Commission’s consideration, the Enforcement Hearing Notice issued July 12, 2002, which alleged a violation of RCW 42.17.3691 and included supporting exhibits.

1 Based on this record, the Commission finds that:

- 2 1. RCW 42.17.3691 requires a political committee that expended twenty-five thousand  
3 dollars or more in the preceding year or expects to expend twenty-five thousand dollars  
4 or more in the current year to electronically file contribution and expenditure reports.  
5
- 6 2. WAC 390-19-030 defines “expects to expend” as when a filer meets or exceeds the  
7 electronic reporting threshold; a filer’s expenditures meet or exceed one-quarter of the  
8 electronic reporting threshold in the first calendar quarter of the current calendar year;  
9 or a filer’s expenditures meet or exceed one-half of the electronic reporting threshold in  
10 the first half of the current calendar year.  
11
- 12 3. The Respondent spent \$25,248.85 in 2001.
- 13 4. In January, 2002, the Respondent began working with PDC Information Technology  
14 staff to arrive at compliance with RCW 42.17.3691 and has been developing software to  
15 make its own accounting system compatible with WEDS electronic filing software.
- 16 5. The Respondent was reminded of the electronic filing requirement by letter dated June  
17 4, 2002. A second letter was sent on June 27, 2002, advising that enforcement action  
18 would result unless the Respondent electronically filed its June C-4 report due July 10,  
19 2002.  
20
- 21 6. The Respondent manually filed the C-4 report due February 10, 2002, and continued to  
22 manually file reports, up to and including the C-4 report due July 10, 2002.
- 23 7. On July 18, 2002, one week after the filing deadline, the Respondent amended its C-3  
24 report reflecting deposits made during June, 2002, as well as its July 10, 2002, C-4  
25 report with electronic filings.  
26

1 **ORDER**

2 Based on the record submitted in this matter, the Commission orders as follows:

- 3 1. The Respondent violated RCW 42.17.3691 by failing to electronically file contribution  
4 and expenditure reports.  
5  
6 2. That a total civil penalty of \$500.00 is assessed against the Respondent.  
7  
8 3. That \$250 of the penalty is suspended on the condition that the Respondent  
9 electronically file all reports covering activity from January 1, 2002, forward by August  
10 6, 2002.

11 **RECONSIDERATION**

12 Any party may ask the Commission to reconsider this final order. Parties must  
13 place their requests for reconsideration in writing, include the specific grounds or reasons  
14 for the request, and deliver the request to the Public Disclosure Commission Office within  
15 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant  
16 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the  
17 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the  
18 Commission does not either dispose of the petition or serve the parties with written notice  
19 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the  
20 Respondent is not required to ask the Public Disclosure Commission to reconsider the final  
21 order before seeking judicial review by a superior court.  
22

23 **APPEAL RIGHTS**

24 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure  
25 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
26 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed

1 with the superior court in Thurston County or the petitioner's county of residence or  
2 principal place of business. The petition for judicial review must be served on the Public  
3 Disclosure Commission and any other parties within 30 days of the date that the Public  
4 Disclosure Commission serves this final order on the parties.  
5

6 If reconsideration is properly sought, the petition for judicial review must be served  
7 on the Public Disclosure Commission and any other parties within thirty (30) days after the  
8 Commission acts on the petition for reconsideration. The Commission will seek to enforce  
9 this final order in superior court under RCW 42.17.395-397, and recover legal costs and  
10 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been  
11 filed under chapter 34.05 RCW. This action will be taken without further order by the  
12 Commission.  
13

14  
15 DATED THIS 29<sup>th</sup> day of July, 2002.

16 FOR THE COMMISSION:  
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19 \_\_\_\_\_  
20 VICKI RIPPIE, Executive Director  
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